



SPD

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : Thomas J. Burke
Serial No. : 10/623,792
Filed : 21 July 2003
For : RAILROAD GRADE CROSSING ASSEMBLY
Examiner : J. Redman
Attorney's Docket : 660041-2002.1

Group Art Unit: 3634

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MS: FEE AMENDMENTS, Honorable Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on 17 Jan 2008.

By Joanne M. Martin
Joanne M. Martin
Registration No. 29,328
Attorney for Applicant

LETTER

Honorable Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant Submits a duplicate copy of the Response previously and timely submitted on November 5, 2007 (omitting another check) and a copy of the post card received from the Patent Office stamped NOV 7, 2007, regarding the above-identified application. Applicant respectfully requests review and allowance of the present application. The Examiner is invited to call the Applicant's undersigned attorney should he feel that such a call would further the prosecution of the present application.

Respectfully submitted,
Thomas J. Burke

By Joanne M. Martin, Reg. No. 29,328
Date 17 Jan 08



5 November 2007
660041-2002.1

Received for FILING, Amendment in re Patent Application
of Thomas J. Burke, entitled Railroad Grade Crossing Assembly
filed 21 July 2003, serial no. 10/623,792, with a check for
a 1-month extension of time FEE and Transmittal Letter.

(Our Docket 660041-2002.1)
PLEASE PLACE OFFICIAL DATE STAMP HERE:





JOANNE M. MARTIN
40 North Spring Street
Concord, NH 03301
Telephone (603) 228 1611

Serial No.: 10/623,792
Filed: 21 July 2003
Group Art Unit: 3634

Date: 5 November 2007
Docket No.: 660041-2002.1

In re application of: Thomas J. Burke
Serial No. 10/623,792
Filed: 21 July 2003

For: RAILROAD GRADE CROSSING ASSEMBLY

THE HONORABLE COMMISSIONER FOR PATENTS
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application. The following items checked below are applicable.

☒ A Petition for Extension of Time for 1 month is hereby made, under provisions of §1.136(a), and a check in the amount of \$60.00 is enclosed according to §1.17.

☐ _____ is hereby appointed Associate Attorney by:

Attorney of Record: Joanne M. Martin
Registration No.: 29,328

☐ Other:

☒ No additional claims fee is required. ☐ The filing fee has been calculated as shown below and a check in the amount of \$.00 is enclosed.

	(Col. 1) Claims After Amendment	(Col. 2) Highest No. Previously Paid For	(Col. 3) Present Extra	SMALL ENTITY*** Rate	Add'l Fee	OR	OTHER THAN A SMALL ENTITY Rate	Add'l Fee
TOTAL CLAIMS	11	MINUS *	= 0	X25 =	\$ 0		X50	\$
INDEP. CLAIMS	2	MINUS **	= 0	X100 =	\$ 0		X200	\$
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDANT CLAIMS PRESENTED				+180	\$ 0		+360	\$
* Appl. Base TOTAL = 20								
** Appl. Base INDEPENDENT = 3								
*** Small Entity previously claimed				TOTAL	\$ 0		TOTAL	\$

☒ In the event a Petition for Extension of Time is required by this paper and not otherwise provided, such Petition is hereby made and authorization is provided herewith to charge Deposit Account No. 13-2189 for the cost of such extension.

☒ The Commissioner is hereby authorized to charge payment of any additional filing fees under 37 CFR 1.16 or 1.17 associated with this communication or credit any overpayment to Deposit Account No. 13-2189.

Triplicate copies of this sheet are attached.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to MS: FEE AMENDMENT, Honorable Commissioner of Patents, P. O. Box 1450, Alexandria, VA, on 5 Nov 07

By Joanne M. Martin
Attorney of Record: Joanne M. Martin
Registration No.: 29,328



SFW

Joseph Victor Pockalny - Inventor/Owner

Mary Pou - Admin Secretary
209-951-9862

Mailing Address: 1641 Greeley Way, Stockton, CA 95207

Email Address: ubette@aol.com

January 18, 2008

**Certified Receipt Return
7007 0710 0001 0583 6322**

Sheryl Friedman/Design Patent Examiner
Holly H. Baynham/Primary Examiner/Group 2900
United States Patent and Trademark Office
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313

RE: JOSEPH V. POCKALNY
Application Number: 29/271,205
Art Unit: 2915
Examiner: Sheryl Friedman

Dear Ms. Friedman & Ms. Baynham:

My name is Mary Pou, I am the legal secretary/paralegal and the one responsible for the filing and helping Joseph Pockalny with his Patent. I have just received a copy of the letter dated 1/2/08 with the information regarding Mr. Pockalny's Patent and what he has to do to meet your qualifications for resubmitting for continuing the examination of the bracket. My concern at this point is that Mr. Pockalny is not aware yet of this matter or what he has to do for resubmitting his bracket because he is in transit of moving from California to Westmorland, TN. I am presently putting a package together to send to him including your letter of 1/2/08 with the instruction for resubmitting and I understand that there is a time factor here which is another one of my concerns.

With all do respect to the statutory period of 2 months which brings us to March 2, 2008 is there any way that perhaps I could request some additional time in order to allow Mr. Pockalny a chance to acquaint himself with his new location and receive the information that he needs to take care of this matter and to find a Patent Attorney in his new unfamiliar location that can assist him at this delicate point of his examination so that it is completed as you have requested and meets your specifications that you set forth in the letter.

I feel that I have done as much as I can and I have advised Mr. Pockalny in the past that we may have to find an attorney to complete this as the Patent office requires.

Your consideration of this request is greatly appreciated and in the meantime I will continue from California to seek out a Patent Attorney for Mr. Pockalny to go to and do everything I can to help him meet the time limit allowed while he is relocating.

Again thank you for your time in this matter and if there is anything that I can do please let me know. I can be contact at any time: Home (209) 951-9862 - Cell (209) 969-2060 - WK (209) 474-1818. If your decision could please be sent to my address which is on record and I will make sure no time is wasted.

Sincerely yours,

Mary Pou
on Behalf of Joseph V. Pockalny, Inventor